



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
08/632,298	04/12/96	MOHSEN	A M-1007US
			EXAMINER

LM21/0121

ALAN H MACPHERSON
SKJERVEN MORRILL MACPHERSON FRANKLIN
& FRIEL
25 METRO DRIVE SUITE 700
SAN JOSE CA 95110

TRANS. V ART UNIT	PAPER NUMBER
2763	9

DATE MAILED: 01/21/98

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

- ☒ Responsive to communication(s) filed on July 31, 1997
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 20-77 is/are pending in the application.
Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 20-77 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☐ Notice of Reference Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 8
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

—SEE OFFICE ACTION ON THE FOLLOWING PAGES—

Art Unit: 2763

1. This is responsive to communication filed on July 28, 1997.
2. Claims 20-77 are pending in this application.
3. The rejection of claims 20-77 under the judicially created doctrine of obviousness-type double patenting dated March 26, 1997 is incorporated by reference.
4. The rejection of claims 20-77 under 35 U.S.C. 102(e) as being anticipated by Chang et al dated March 26, 1997 is incorporated by reference.
5. Applicant's arguments filed July 31, 1997 have been fully considered but they are not persuasive.

The disclosure of Chang et al in which the examiner relied upon is disclosed in the application filed on 22 February 1989. Thus, the Chang et al reference qualifies as 35 U.S.C. 102(e). **It is suggested applicant to order a certified copy of the application having Serial No. 07/314,817 named Chang et al as inventors.**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent N. Trans whose telephone number is (703) 305-9750. The examiner can normally be reached on Tuesday, Wednesday and Friday from 8:30AM to 5:00PM.

Serial Number: 08/632,298

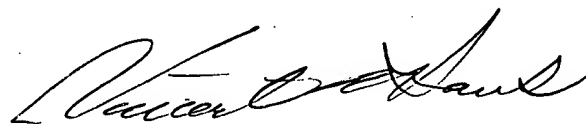
Page 3

Art Unit: 2763

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Teska, can be reached on (703) 305-9704.

The fax phone numbers for this Group are (703) 308-9051 and (703) 308-9052.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

A handwritten signature in black ink, appearing to read "Vincent N. Trans", is written in a cursive style.

VINCENT N. TRANS
PRIMARY EXAMINER